

Introduced by Senator Johnston

February 23, 2000

An act to amend Section 3 of Chapter 1526 of the Statutes of 1965, relating to state property.

LEGISLATIVE COUNSEL'S DIGEST

SB 1778, as introduced, Johnston. State property: surplus.

(1) Existing law requires each state agency, on or before December 31 of each year, to make a review of all proprietary state lands, with specified exceptions, over which it has jurisdiction, to determine what, if any, land is in excess of its foreseeable needs and report thereon in writing to the Department of General Services. Existing law transfers to the department jurisdiction of all land reported as excess. Existing law requires the department, when authority to sell or otherwise dispose of lands declared excess is granted, to sell the land or otherwise dispose of the property pursuant to the authorization, upon any terms and conditions and subject to any reservations and exemptions as the department may deem to be for the best interests of the state.

This bill would authorize the Director of General Services, with the approval of the State Public Works Board, to sell, lease, or transfer for current market value, unspecified parcels. The bill would exempt any sale, exchange, lease or transfer of property described by this bill from the California Environmental Quality Act and would except and reserve to the state specified mineral rights. The bill would require the net proceeds from the disposition of property pursuant to this



bill to be deposited in the General Fund, with specified exceptions.

The bill also would rescind the authorization to sell, exchange, or lease unspecified parcels of property.

(2) Existing law authorizes the director to convey to the City of Sacramento a parcel of property designated as the State Burial Grounds subject to the obligation that the city, among other things, only inter the remains of state officers or members of the Senate or Assembly and their spouses.

This bill would delete the condition that restricts interment on that parcel to the remains of state officers or Members of the Senate or Assembly and their spouses.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Director of General Services, with
2 the approval of the State Public Works Board, may sell,
3 lease, or transfer for current market value only, all or any
4 part of the following property:

5 (a) _____.

6 (b) _____.

7 SEC. 2. (a) Notices of every public auction or bid
8 opening shall be posted on the property to be sold under
9 this act and shall be published in a newspaper of general
10 circulation published in the county in which the real
11 property to be sold is situated.

12 (b) Any sale, exchange, lease, or transfer of the parcels
13 described in this act is exempt from Division 13
14 (commencing with Section 21100) of the Public
15 Resources Code.

16 SEC. 3. (a) The Department of General Services
17 shall be reimbursed for any cost or expense incurred in
18 the disposition of any parcels.

19 (b) The net proceeds of any moneys received from the
20 disposition of any parcels described in this act shall be
21 deposited in the General Fund and be available for
22 appropriation in accordance with Section 15863 of the
23 Government Code, except the net proceeds received

1 from the disposition of Parcel (_____) in Section
2 (_____) shall be deposited in the Employment
3 Development Department Building Fund.

4 SEC. 4. As to any property sold pursuant to this act
5 consisting of 15 acres or less, the Director of General
6 Services shall except and reserve to the state all mineral
7 deposits, as defined in Section 6407 of the Public
8 Resources Code, below a depth of 500 feet, without
9 surface rights of entry. As to property sold pursuant to this
10 act consisting of more than 15 acres, the Director of
11 General Services shall except and reserve to the state all
12 mineral deposits, as defined in Section 6407 of the Public
13 Resources Code, together with the right to prospect for,
14 mine, and remove the deposits. The rights to prospect for,
15 mine, and remove the deposits shall be limited to those
16 areas of the property conveyed that the director, after
17 consultation with the State Lands Commission,
18 determines to be reasonably necessary for the removal of
19 the deposits.

20 SEC. 5. The authorization to sell, exchange, or lease
21 the following property is rescinded by Section _____
22 of this act, as the concerned state agency has reported
23 that the following property is no longer considered
24 surplus:

25 (a) Parcel _____ of Section _____ of Chapter
26 _____ of the Statutes of _____.

27 SEC. 6. Section 3 of Chapter 1526 of the Statutes of
28 1965 is amended to read:

29 Sec. 3. The Director of General Services is authorized
30 to convey to the City of Sacramento that certain parcel
31 of real property designated as the State Burial Grounds
32 in the City of Sacramento subject to the obligation of the
33 city to maintain in perpetuity the property for cemetery
34 purposes ~~and to only inter in the parcel the remains of~~
35 ~~state officers or Members of the Senate or Assembly and~~
36 ~~their spouses.~~

